

Jane Luciano, Esq. CA. SBN 124263  
Luciano Law  
9000 Crow Canyon Road  
Suite S #168  
Danville, CA 94506  
(925) 216-6030

William D. McCann, Esq SBN NV 12038  
P.O. Box 370  
Genoa, Nevada 89411  
*Pro Haec Vice in Butte County Superior Court Cases*

Attorneys for Plaintiffs and Claimants Liza Sims, individually and as executrix for the Estate of  
Edna Gleason and Thomas and Jaydene Gardner

**IN THE BANKRUPTCY COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA**

In re:

PG&E CORPOIRATION,

-and-

PACIFIC GAS AND ELECTRIC

Company

Debtors

Bankr. Case No. 19-30088 (DM)  
Chapter 11  
(Lead Case)  
(Jointly Administered)

**NOTICE OF APPEAL AND  
STATEMENT OF ELECTION  
FILED ON BEHALF OF LIZA  
SIMS INDIVUALLY AND AS  
EXECUTRIX OF THE ESTATE  
OF EDNA GLEASON AND  
THOMAS AND JAYDENE  
GARDNER**

**X** Affects Both Debtors

**NOTICE OF APPEAL AND STATEMENT OF ELECTION**

NOTICE OF APPEAL AND STATEMENT OF ELECTION

1                   **I.       IDENTITY OF APPELLANTS**

2                   1. Appellants are Liza Sims individually and in her capacity as the executrix of  
3 the Estate of her Mother, Edna Gleason, deceased, and Thomas and Jaydene Gardner.

4                   2. Appellants are Creditors of PG and E seeking punitive damages under a  
5 number of State pf California statutes arising from damages sustained by them in the so-call  
6 Camp Fire in Butte County, California. Appellants have pending claims (which have thus far  
7 been stayed) before the Superior Court in and for the County of Butte.

8                   **II.       SUBJECT OF APPEAL**

9                   1. Failure of the Hon. Dennis Montali to sustain Appellants' Objection to PG  
10 and E's Motion for an Order that the so-called 'Channeling Injunction' requires dismissal of  
11 Appellants various state claims for punitive damages. The *gravamen* of Appellants' Objection is  
12 that construing the 'Channeling Injunction' as requiring dismissal of Appellants' punitive  
13 damages claims is an overbroad and impermissible use of Section 105 (a) of the Bankruptcy  
14 Code and a virtual repeal of Section 523 (a)(6) which a bankruptcy judge has no jurisdiction to  
15 do. This appeal is premised on the fact that though a Butte County Grand Jury found PG and E  
16 "reckless", there has been no judicial finding whether its conduct over multiple decades in failing  
17 to maintain and replace powerlines was "willful", and that Appellants have a right to have that  
18 issue decided by a jury of their peers. The appeal is further premised on the fact that Appellants  
19 have not been paid the monies promised them by the Fire Victim Trust, and contemporaneously  
20 with their application for benefits under the Trust filed non-waivers of their punitive damages  
21 claim, to which PG and E made no objection.

22                   2. The appeal is further premised on Judge Montali's failure to strike the  
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1 declarations of Keith Eggleston since they only proved that other Plaintiff's lawyers dismissed  
2 their 'clients' punitive damages claims after receiving threats from Mr. Eggleton's employer,  
3 Wilson, Sonsini *et al*, and instead relied on such declarations to grant PG and E's motion of Mr.  
4 Eggleton's employer, Wilson Sonsini et al.  
5

### 6 7 **III. IDENTITY OF APPELLEE**

8 Appellee is Pacific Gas and Electric Company (PG and E) represented by:

- 9  
10 1. WEIL, GOTSHAL & MANGES LLP  
Richard Slack, Jessica Liou and Matthew Goren  
767 Fifth Avenue  
11 New York, NY 10153-0119  
12  
13 2. KELLER BENVENUTTI KIM LLP  
Thomas Rupp, Jane Kim and David Taylor  
650 California Street, Suite 1900  
14 San Francisco, CA 94108  
15  
16 3. Wilson, Sonsini, Goodrich & Rosati  
Keith Eggleton  
650 Page Mill Road  
17 Palo Alto, CA 94304  
18

### 19 **IV. ELECTION**

20 Appellants elect to have this appeal decided by the Federal District Court for the  
21 Northern District of California  
22

23 Date: June 1, 2023  
24

25 /s/jane Luciano/s/  
Jane Luciano, Esq.  
26 Attorney for Appellants  
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28 NOTICE OF APPEAL AND STATEMENT OF ELECTION